IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.780 OF 2004

The State of Maharashtra, .. Appellant.
Vs
Sadik Gulam Dastagir & ors. .. Respondents

Mrs M.H.Mhatre, for the appellant.

CORAM : D.B.BHOSALE, J.

DATED : 26th JUNE, 2006

P.C.:

1. Heard the learned A.P.P. for the appellant. None appears for the respondents.

2. This appeal is directed against the order of acquittal under section 498-A r/w 34 of IPC. The complainant was subjected to cruelty to coerce her and her parents to fulfil the demand of the accused, as a result of which she had to leave the matrimonial house. The complainant left house on 21.3.2001 and the offence was registered on 27.6.2001. No plausible explanation is forthcoming as to why there was a delay of three months in lodging the complaint. The learned trial Court, on appreciation of the evidence on record, has recorded a categoric finding that it is not sufficient to establish the illtreatment or harassment and even the demand of the amount by the accused. Considering the reasons

recorded by the Court below on appreciation of the evidence on record, the impugned judgment cannot be said to be unreasonable and perverse. The view taken by the trial Court is a reasonably possible view. In the circumstances, no interference is called for. The appeal is accordingly dismissed.

(D.B.Bhosale, J.)